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9 Deposit Insurance Corporation as
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for
HOME SAVINGS OF AMERICA, a
federal savings and loan association,**

Case No: C12-03032 RS

**STIPULATION OF DISMISSAL and
[proposed] ORDER**

Plaintiff,

vs.

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MICHAEL FORD, an individual;
WHOLESALE MORTGAGE
LENDERS, INC., a dissolved
California Corporation, LAN TRAN,
an individual; KEN J. PITTMAN, an
individual; SPENCER SMITH, an
individual; MARK BERCHEM, an
individual; DAVID CASPILLO, an
individual; JON KAPLAN, an
individual; RANDALL FARR, an
individual; JIM KASPARI, an
individual and DOES 9 through 20
inclusive,

Defendants.

Plaintiff FDIC as Receiver for Home Savings of America and defendants Lan
Tran, Ken J. Pittman, Spencer Smith, and David Caspillo hereby stipulate and agree,
through their respective counsel of record, that:

1 (1) This action shall be dismissed with prejudice pursuant to Fed. R.
2 Civ. P. 41(a)(1)(A)(ii); and

3 (2) Each party shall bear his, her, or its own attorney's fees and costs.

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6 DATED: October 12, 2012

7 LEADER COUNSEL

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Attorneys for Plaintiff FDIC as Receiver
for Home Savings of America

DATED: October 17, 2012

CROWLEY & BRERETON

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Brad C. Brereton
Attorneys for Defendants Lan Tran, Ken J.
Pittman, Spencer Smith, and David Caspillo

ORDER

This Stipulation of Dismissal is hereby adopted by the Court and the matter
dismissed per the Stipulation.

Dated: 10/17/12


U.S. District Court Judge